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Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders

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Items 3, 4, 5 and 6 of the provisional agenda*
Promoting the rule of law and strengthening the criminal justice system
International cooperation in combating transnational crime: new challenges in the twenty-first century
Effective crime prevention: keeping pace with new developments
Offenders and victims: accountability and fairness in the justice process

UNITED NATIONS
COLLECTION

Preliminary draft of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century

Note by the Secretariat

On the recommendation of the Commission on Crime Prevention and Criminal Justice at its eighth session, the Economic and Social Council adopted decision 1999/261 of 28 July 1999, in which it decided to transmit to the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders a preliminary draft of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century. The preliminary draft of the Vienna Declaration on Crime and Justice is contained in the annex to the present document.

* A/CONF.187/1.

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Annex

Preliminary draft of the Vienna Declaration on Crime and Justice: Meeting the Challenges of the Twenty-first Century

We the States Members of the United Nations,

Concerned about the impact on our societies of the commission of serious crimes of a global nature and convinced of the need for bilateral, regional and international cooperation in crime prevention and criminal justice,

Concerned in particular about transnational organized crime and the relationships between its various forms,

Stressing that a fair, responsible, ethical and efficient criminal justice system is at the very core of economic and social development and of human security,

Having assembled at the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders in Vienna from 10 to 17 April 2000 to decide to take more effective concerted action, in a spirit of cooperation, to combat the world crime problem,

Declare as follows:

1. We note with appreciation the results of the regional preparatory meetings for the Tenth United Nations Congress on the Prevention of Crime and the Treatment of Offenders.[1]

2. We reaffirm the goals of the United Nations in the field of crime prevention and criminal justice, specifically the reduction of criminality, more efficient and effective law enforcement and administration of justice, respect for human rights and fundamental freedoms, and promotion of the highest standards of fairness, humanity and professional conduct.

3. We emphasize the responsibility of each State to establish and maintain a fair, responsible, ethical and efficient criminal justice system in accordance with the principles of the Charter of the United Nations and international law.

4. We recognize the necessity of closer coordination and cooperation among States in combating the world crime problem, bearing in mind that action against it is a common and shared responsibility. In this regard, we acknowledge the need to develop and promote technical cooperation activities to assist countries in their efforts to strengthen their domestic criminal justice systems and their capacity for international cooperation.

5. We shall accord high priority to the expeditious adoption and entry into force of the United Nations Convention against Transnational Organized Crime and the protocols thereto. We shall undertake to take early steps for the signature of the Convention and the protocols thereto and shall endeavour to ratify those instruments within two years of their adoption.

6. We request the Centre for International Crime Prevention of the Office for Drug Control and Crime Prevention of the Secretariat to carry out, in cooperation with interested countries, regional assessments of the needs of Member States concerning legislation,

[1] A/CONF.187/RPM.1/1 and Corr.1, A/CONF.187/RPM.2/1, A/CONF/187/RPM.3/1 and A/CONF.187/RPM.4/1.

capacity-building, expertise, training and resources with a view to ensuring a rapid ratification and implementation of the Convention and the protocols thereto.

7. We commit ourselves to the implementation of the Convention and the protocols thereto and undertake:

(a) To incorporate a crime prevention component into national and international development strategies;

(b) To intensify bilateral and multilateral cooperation, including technical cooperation, in the areas covered by the Convention and the protocols thereto;

(c) To enhance donor cooperation in areas with crime prevention aspects;

(d) To strengthen the capability of the Centre for International Crime Prevention, as well as the United Nations Crime Prevention and Criminal Justice Programme network, to assist Member States, at their request, in building capacity in areas covered by the Convention and the protocols thereto.

8. We welcome the efforts being made by the Centre for International Crime Prevention to develop, in cooperation with the United Nations Interregional Crime and Justice Research Institute, a comprehensive global overview of organized crime as a reference tool and to assist Governments in policy and programme development.

9. We reaffirm our continued support for and commitment to the United Nations and to the United Nations Crime Prevention and Criminal Justice Programme, especially the Commission on Crime Prevention and Criminal Justice and the Centre for International Crime Prevention, the United Nations Interregional Crime and Justice Research Institute and the institutes of the Programme network, and resolve to strengthen the Programme further through sustained funding, as appropriate.

10. We shall undertake to incorporate a gender perspective into the United Nations Crime Prevention and Criminal Justice Programme, as well as into national crime prevention and criminal justice strategies.

11. We commit ourselves to the development of action-oriented policy recommendations based on the special needs of women as criminal justice practitioners, victims, prisoners and offenders.

12. We emphasize that effective action for crime prevention and criminal justice requires the involvement, as partners and actors, of Governments, national, regional, interregional and international institutions, intergovernmental and non-governmental organizations and various segments of civil society, including the mass media and the private sector, as well as the recognition of their respective roles and contributions.

13. We also commit ourselves to the development of more effective ways of collaborating with one another with a view to eradicating the scourge of trafficking in human beings, especially women and children, and the smuggling of migrants, in line with the provisions of the two protocols under negotiation supplementary to the United Nations Convention against Transnational Organized Crime. We shall also consider supporting the global programme against trafficking in human beings developed by the Centre for International Crime Prevention and the United Nations Interregional Crime and Justice Research Institute, and we establish the year 2005[2] as the target year for achieving a significant decrease in the incidence of those crimes worldwide.

[2] Decision on deadlines to be taken at the Tenth Congress.

14. We further commit ourselves to the enhancement of international cooperation to curb illicit trafficking in firearms, in line with the provisions of the protocol under negotiation against the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition,[3] supplementary to the United Nations Convention against Transnational Organized Crime, and we establish the year 2005[4] as the target year for achieving a significant decrease in the incidence of illicit manufacturing of and trafficking in firearms worldwide.

15. We commit ourselves to taking enhanced international action against corruption, building on the United Nations Declaration against Corruption and Bribery in International Commercial Transactions,[5] the International Code of Conduct for Public Officials[6] and relevant regional conventions, and we request the Secretary-General to submit to the Commission on Crime Prevention and Criminal Justice, at its tenth session, a report containing concrete proposals to this effect.[7] We shall consider supporting the global programme against corruption developed by the Centre for International Crime Prevention and the United Nations Interregional Crime and Justice Research Institute.

16. We decide to develop action-oriented policy recommendations on the prevention and control of computer-related crime, and we invite the Commission on Crime Prevention and Criminal Justice to undertake work in this regard in an expeditious manner.

17. We note that acts of violence and terrorism are on the increase. We will together, in conjunction with our other efforts to prevent and to combat terrorism, take effective, resolute and speedy measures with respect to preventing and combating criminal activities carried out for the purpose of furthering terrorism in all its forms and manifestations.

18. We also note that racial discrimination, xenophobia and related forms of intolerance continue and we recognize the importance of taking steps to incorporate into international crime prevention strategies and norms measures to prevent and combat crime associated with racism, racial discrimination, xenophobia and related forms of intolerance.

19. We affirm our determination to combat violence stemming from intolerance on the basis of ethnicity, resolve to make a strong contribution, in the area of crime prevention and criminal justice, to the planned World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance,[8] and we invite the Centre for International Crime Prevention to prepare proposals for the World Conference.

20. We recognize that the United Nations standards and norms in crime prevention and criminal justice contribute to efforts to deal with crime effectively, in particular transnational organized crime. We also recognize the importance of prison reform, independence of the judiciary and the International Code of Conduct for Public Officials. We commit ourselves to the promotion of the United Nations standards and norms in crime prevention and criminal justice, and shall make every effort to use and apply those

[3] Decision on inclusion of explosives dependent on outcome of the sessions of the Ad Hoc Committee.

[4] Decisions on deadlines to be taken at the Tenth Congress.

[5] General Assembly resolution 51/191, annex.

[6] General Assembly resolution 51/59, annex.

[7] Depending on the outcome of the sessions of the Ad Hoc Committee.

[8] See General Assembly resolution 53/132 of 9 December 1998.

standards and norms in national law and practice by the year 2002.[9] To that end, we shall review relevant legislation and administrative procedures, provide the necessary education and training to the officials concerned and ensure the necessary strengthening of institutions entrusted with the administration of criminal justice.

21. We also recognize the value of the model treaties on international cooperation in criminal matters as important tools for the development of international cooperation.

22. We further recognize with great concern that juveniles in difficult circumstances are often at risk of becoming delinquent or easy candidates for recruitment by criminal groups, including groups involved in transnational organized crime and we commit ourselves to undertaking countermeasures to prevent this growing phenomenon and to including, where necessary, provisions for juvenile justice in national development plans and international development strategies and to including the administration of juvenile justice in our funding policies for development cooperation.

23. We acknowledge the crucial importance of applying successful strategies to reduce the opportunities for the commission of crimes (situational crime prevention) as well as social development-oriented crime prevention strategies to address all forms of crime, including transnational organized crime, and we pledge to foster and support the sharing of best practices and success stories in that area.

24. We commit ourselves to according priority to containing the growth and overcrowding of pre-trial and detention prison populations, as appropriate, by promoting safe and effective alternatives to incarceration.

25. We decide to introduce, where appropriate, national, regional and international action plans in support of victims of crime, including mechanisms for mediation and restorative justice, and we establish the year 2002[10] as a target date for States to review their relevant practices, to develop further victim support services and awareness campaigns on victims' rights and to consider the establishment of funds for victims, in addition to developing and implementing witness protection programmes.

26. We invite the Commission on Crime Prevention and Criminal Justice to design specific measures for the implementation, monitoring and follow-up of the commitments that we have undertaken in this Declaration.

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[9] Decisions on deadlines to be taken at the Tenth Congress.

[10] Decisions on deadlines to be taken at the Tenth Congress.